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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2614

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,789

Applicant(s)

KRISBERGH ET AL.

Examiner

Melur Ramakrishnaiah

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 26-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 26-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-5, 9-11, 12, 14, are rejected under 35 U.S.C 102(e) as being anticipated by Parker et al. (US PAT: 6,545,697, filed 10-16-2001, hereinafter Paraker).

Regarding claim 1, Parker discloses a videophone system comprising: a plurality of videophones (101-104, fig. 1, col. 3 lines 20-27), at least one communication network (101/102, fig. 1) configured for transmitting video and audio communications interconnecting the videophones (col. 3, line 28 – col. 4, line 31), at least one operation center (reads on 800, fig. 8, 111, fig. 1) connected with the communication network and having means for storing information related to the users of the videophones, the operations center being configured to communicate with videophones via communication network (figs. 9-10, col. 10 lines 15-56).

Regarding claims 2, 4-5, 9-11, Parker further teaches the following: at least one communication medium (111/120, fig. 1) configured for transmitting video and audio communications, connecting each of the videophones (101-104) to communications network (col. 3 lines 20-27), operations center comprises means for storing a user registry including provisioning information related to the users (col. 10 lines 15-27),

Art Unit: 2614

operations center (800, fig. 8) comprises means for storing a user registry including phone directory information related to the users, wherein such information can be accessed and used by the users to initiate a video telephone call (col. 10 lines 29-42), videophone interface unit, wherein videophone interface unit is remotely located from the videophone and proximate to communication medium, videophone is wirelessly /cable means connected to the videophone interface unit and the videophone interface unit is connected via cable means to the communication medium (col. 4, line 66-col. 5, line 1), videophone interface unit is a component of the videophone, and the videophone is connected to the communication medium (fig. 3 col. 5 lines 19-26).

Claim 12 is rejected on the same basis as claim 1.

Regarding claim 14, Parker teaches the following: images and sound of at least one of the parties is captured by a camera and microphone (not shown) contained within a videophone device serving as an end user terminal for videophone communication system (col. 4 lines 59-56).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Crandell et al. (US2004/0240642, Provisional application No. 60/299,118, filed on June 18, 2001, hereinafter Crandell).

Paraker differs from claim 6 in that although he discloses operations center for processing user requests such as setting up video calls etc (figs. 9-10), he does not specifically teach such things call messaging instant messaging, etc.

However, Crandell discloses apparatus and methods for managing incoming and outgoing communication which teaches the following: call messaging instant messaging, etc (claims 7-12).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for call messaging instant messaging, etc as this arrangement would further facilitate to manage incoming communications to suite his needs as taught by Crandell.

5. Claims 3, 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Van De Sluis et al. (US 2002/0080230, hereinafter Van De Sluis).

Parker differs from claim 3 in that although he teaches operations center such as 800 (fig. 8) for storing user registry (col. 10 lines 15-19), he does not teach registry including video information related to the users, wherein such information can be accessed and used by users to initiate a videophone call.

However, Van De Sluis discloses including a persons image in a store which teaches registry including video information related to the users (figs. 1, 3, paragraph: 0026), wherein such information can be accessed and used by users to initiate a videophone call (claims 4-5, 7)

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for registry including video

information related to the users, wherein such information can be accessed and used by users to initiate a videophone call as this arrangement would facilitate users to make telephone calls by selecting video images and initiating telephone call as taught by Van De Sluis (paragraph: 0012), thereby facilitating users to make telephone call after visually recognizing the communication partner before initiating communication.

Regarding claims 13, Parker teaches the following: selectably obtaining the images and sounds of the calling party, digitizing the obtained images and sounds of the calling party, selectively obtaining the images and sounds of the called party, selectably transmitted the obtained images and sounds of the calling party to the called party over communications media and communications network, and seletably transmitted the obtained images and sounds of the called party to the calling party over communication network (col. 10 lines 15-56); but he does not specifically teach the following: uniquely identifying the party to be called with respect to the stored information relating to the users of the videophone.

However, Van De Sluis teaches the following: uniquely identifying the party to be called with respect to the stored information relating to the users of the videophone (paragraph:0012).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for uniquely identifying the party to be called with respect to the stored information relating to the users of the videophone as this arrangement would facilitate users to make telephone calls by selecting video images and initiating telephone call as taught by Van De Sluis, thereby

facilitating users to make telephone call after visually recognizing the communication partner before initiating communication.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Rao (EP0801499A2)

Parker differs from claim 15 in that he does not teach the following: continuous images and sounds of at least one of the parties to the call are retrieved from memory means which are includes as part of videophone communications system.

However, Rao discloses video telephone answering machine which teaches the following: continuous images and sounds of at least one of the parties to the call are retrieved from memory means which are includes as part of videophone communications system (fig. 1; abstract; col. 3, line 50 – col. 4, line 6).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for continuous images and sounds of at least one of the parties to the call are retrieved from memory means which are includes as part of videophone communications system as this arrangement would facilitate video telephone answering function so that user can find out information about missed calls as is well known in the art.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Allen (US 2002/0199181A1).

Parker differs from claim 7 in that he does not teach the following: a CATV network, and wherein each of the videophones is connected to a cable modem as a component of the communication medium.

However, Allen teaches the following: a CATV network (102, fig. 1), and wherein each of the videophones is connected to a cable modem (302, fig. 3) as a component of the communication medium (paragraphs: 0024-0025; 0030).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for a CATV network, and wherein each of the videophones is connected to a cable modem as a component of the communication medium as this arrangement would provide for broadband cable network for communications which provides greater bandwidth for video communications as is well known in the art.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Arnott (US2002/0083462A1).

Parker differs from claimed invention in that he does not teach the following: an XDSL network, and wherein each of the videophones is connected to an XDSL modem as a component of the communication medium.

However, Arnott discloses apparatus and method for establishing audio and video conferencing which teaches the following: an XDSL network, and wherein each of the videophones is connected to an XDSL modem as a component of the communication medium (fig. 1, paragraph: 0026).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for: an XDSL network, and wherein each of the videophones is connected to an XDSL modem as a component of the communication medium as this arrangement would provide for broadband network

Art Unit: 2614

for communications which provides greater bandwidth for video communications as is well known in the art.

9. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Barraclough (US PAT: 6,163,335).

Parker differs claim 16 in that although he teaches the following: connecting plurality of PSTN phones to one or more communication media and communication network configured for transmitting audio communications (fig. 1, col. 3 lines 20-37); but he does not teach the following: uniquely identifying party to be called, determining from the stored information whether the party to be called is capable of receiving videophone call, if the party is not capable of receiving a videophone call, connecting the calling party to the party to be called through the communications network and the communications media configured for transmitting video and audio communications of the calling party and the communications network and the communications media configured to transmitting audio communications of the calling party of the the called party.

However, Barraclough teaches the following: uniquely identifying party to be called, determining from the stored information whether the party to be called is capable of receiving videophone call, if the party is not capable of receiving a videophone call, connecting the calling party to the party to be called through the communications network and the communications media configured for transmitting video and audio communications of the calling party and the communications network and the

communications media configured to transmitting audio communications of the called party (col. 1, line 64 – col. 2, line 15).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Parker's system to provide for: uniquely identifying party to be called, determining from the stored information whether the party to be called is capable of receiving videophone call, if the party is not capable of receiving a videophone call, connecting the calling party to the party to be called through the communications network and the communications media configured for transmitting video and audio communications of the calling party and the communications network and the communications media configured to transmitting audio communications of the called party as this arrangement would allow the user to set up desired communications as thought by Barraclough.

10. Claims 26, 36, 45, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek et al. (WO 99/34600, hereinafter Mazurek) in view of Ono et al. (JP407264298A, hereinafter Ono), Kerr (US PAT: 5,844,600) and Crandell et al. (US 2004/0240642, filed 6-16-2002, hereinafter Crandell).

Regarding claim 47, Mazurek discloses a method of making a videophone call comprising: connecting at least two videophones to a communication network configured for transmitting video and audio communications, each videophones including a camera (5, fig. 1), a display screen (7, fig. 1), speaker (6, fig. 1), microphone (8, fig. 1) all of which are operatively connected (figs. 1, 4, page 4 lines 6-24), placing a videophone call to the called party using information entered or selected by the calling

party, digitizing signals received by the camera (fig. 4) of the calling party's videophone, for selectably transmitting such camera signals over the communications network, digitizing the signals received by the microphone (fig. 4) of the calling party's videophone and for selectably transmitting microphone signals over the communication network with the camera signals of the calling party's videophone, digitizing the signals received by the camera of the called party's videophone, for selectably transmitting such camera signals over the communication network, digitizing the signals received by the microphone of the called party's videophone and for selectably transmitting such microphone signals over the communications network, receiving the digital signals transmitted by the videophone of the calling party over the communications network representing the images and sound transmitted by the videophone of the called party and for selectably displaying the signals representing the images on the display screen and for playing signals representing the sound on the speaker of the videophone of the called party, and receiving the digital signals transmitted by the videophone of the called party over the communications network representing images and sound transmitted by the videophone of the calling party and for selectably displaying the signals representing the images on the display screen and for playing the signals representing the sound on the speaker of the videophone of the calling party (page 6, line 4 – page 13, line 2).

Mazurek differs from claim 47 in that he does not specifically teach the following: selectably entering or selecting information with the videophone of the calling party uniquely identifying the videophone of the called party with respect to any other systems

or devices connected to the communication network, and synchronizing microphone signals with camera signals, verifying that the called party is in a database of parties operable to receive a video telephone call.

However, Ono discloses communication method which teaches the following: selectably entering or selecting information with the phone of the calling party uniquely identifying the phone of the called party with respect to any other systems or devices (for example email system) connected to the communication network (fig. 1, see abstract); and: Kerr teaches the following: synchronizing microphone signals with camera signals (col. 3 lines 33-45), and Crandell teaches the following: verifying that the called party is in a database of parties operable to receive a video telephone call (figs. 27-29, paragraphs: 0359; 0361)

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Mazurek's system to provide for: selectably entering or selecting information with the videophone of the calling party uniquely identifying the videophone of the called party with respect to any other systems or devices connected to the communication network as this arrangement would provide means for selecting a most proper communication means for communicating with the other party as taught by Ono, and synchronizing microphone signals with camera signals as this arrangement would provide display of camera signals with appropriate audio so that user gets satisfactory communication while communicating with audio and video as taught by Kerr; verifying that the called party is in a database of parties operable to receive a video telephone call as this arrangement would facilitate to set up video phone calls

Art Unit: 2614

after verifying their telephone numbers in a database so that video communications can be set up according to user desires as taught by Crandell

Claim 26 is rejected on the same basis as claim 47.

Mazurek differs from claims 36 in that he does not specifically teach types of information which videophone can receive includes one or more of the following: chat, messaging services, information services, IP telephone calls.

However, Crandell teaches the following: types of information which videophone can receive includes one or more of the following: messaging services, information services, IP telephone calls (claims 11-13; fig. 30).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Mazurek's system to provide for the following: types of information which videophone can receive includes one or more of the following: chat, messaging services, information services, IP telephone calls as this arrangement would facilitate to provide more functionality to video telephone to provide user convenience as taught by Crandell.

Regarding claim 45, Mazurek teaches the following: auxiliary input means for locally generated video images such as still pictures and full motion video and auxiliary input control means for selectably digitizing and transmitting such locally generated images in addition to or as an alternative to the signals received by the camera (see auxiliary audio input/output (17, fig. 4), auxiliary NTSC video input (17, fig. 4, page 11 lines 13-17).

Art Unit: 2614

11. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 26 above, and further in view of Suzuki (US 2003/0007793 A1, filed 6-18-2002) and Katz (US2002/0001372A1).

The combination differs from claim 27 in that it does teach the following: high resolution camera and wide angle lens, and image processing means for affording zoom, pan and tilt functionality by selecting various zones of magnifications within the resultant image from the camera.

However, Suzuki teaches high resolution camera and wide angle lens (paragraphs: 0092, 0136), and Katz teaches the following: image processing means for affording zoom, pan and tilt functionality by selecting various zones of magnifications within the resultant image from the camera (fig. 3, paragraph: 0087).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: high resolution camera and wide angle lens as this arrangement provides high resolution images as taught by Suzuki, thus providing better images; and image processing means for affording zoom, pan and tilt functionality by selecting various zones of magnifications within the resultant image from the camera as this arrangement as this arrangement would facilitate manipulating image to suite user needs as taught by Karz,

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 26 above, and further in view of Guichard et al. (US PAT: 5,142,562, hereinafter Guichard).

The combination differs from claim 28 in that it does not teach illumination means for providing supplemental light for the camera

However, Guichard discloses sound and vision communications terminal which teaches the following: illumination means (160, fig. 1) for providing supplemental light for the camera (col. 3 lines 3-11).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: illumination means for providing supplemental light for the camera as this arrangement would provide additional illumination for imaging the user of the video telephone as taught by Guichard, thus providing better pictures.

13. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr, Crandell and Guichard as applied to claim 28 above, and further in view of Anzai et al. (JP 401300783A, hereinafter Anzai).

The combination differs from claim 29 in that it does not teach the following: illumination means includes spectrum outside of that normally visible with the human eye, and wherein camera is sensitive to the non-visible spectrum for the illumination means.

However, Anzai discloses video telephone set which teaches the following: illumination means (6, fig. 1) includes spectrum outside of that normally visible with the human eye, and wherein camera is sensitive to the non-visible spectrum for the illumination means (see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: illumination means includes spectrum outside of that normally visible with the human eye, and wherein camera is sensitive to the non-visible spectrum for the illumination means as this arrangement would provide another well known means for illumination the user of the video telephone as taught by Anzai so that user can get better picture in connection with video telephone use.

14. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over over Mazurek in view of Ono, Kerr, Crandell as applied to claim 26 above, and further in view of Allen (US PAT: 6,489,986).

The combination differs from claim 30 in that it does not specifically teach the following: means for connecting to a communication network comprises videophone interface unit connected to a communication medium, which communication medium is connected to the communication network, and wherein connection between the videophone and videophone interface unit is wireless.

However, Allen teaches the following: means for connecting to a communication network comprises videophone interface unit (102, fig. 2) connected to a communication medium (104, fig. 2) which communication medium is connected to the communication network, and wherein connection between the videophone and videophone interface unit is wireless (fig. 8, col. 8, line 53 – col. 9, line 45).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: means for

connecting to a communication network comprises videophone interface unit connected to a communication medium, which communication medium is connected to the communication network, and wherein connection between the videophone and videophone interface unit is wireless as this arrangement would provide user with convenience of movement using video telephone for communicating with other party without being tethered by communication cable as taught by Allen.

15. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell, as applied to claim 26 above, and further in view of Pappalardo et al. (US2003/0148753A1, filed 2-1-2002, hereinafter Pappalardo).

The combination differs from claim 1 in that although it teaches memory means for storing information related to the operation of the videophone (page 12 lines 25-32, of Mazurek); it does not specifically provide for one or more of the following: call logs, current time, current date, non-directory information about the users of the videophone, and information control means navigating etc.

However, Pappalardo discloses system and method for creating a note related to phone call which teaches the following: call logs, current time, current date, non-directory information about the users of the phone, and information control means navigating etc (fig. 8; paragraphs: 0054-0055).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Mazurek's system to provide for the following: call logs, current time, current date, non-directory information about the users of the videophone, and information control means navigating etc as this arrangement would provide

additional features to provide for user convenience as taught by Pappalardo, thus enhancing user convenience.

16. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell, Pappalardo as applied to claim 31 above, and further in view of Umstetter et al. (US PAT: 6,862,347, filed 1-28-1999).

The combination differs from claim 32 in that although it teaches memory means includes a component located within the videophone for providing ancillary convenience feature (page 12, lines 20-32 of Mazurek); it does not specifically teach a component located remotely from the videophone, and where the component located remotely from the videophone provides backup and overflow storage for the component located with in the videophone.

However, Umstetter discloses method and apparatus for extending telephone capabilities which teaches the following: a component located remotely from the telephone, and where the component located remotely from the telephone provides backup and overflow storage for the component located with in the telephone (fig. 3, col. 4 lines 44-53).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: a component located remotely from the videophone, and where the component located remotely from the videophone provides backup and overflow storage for the component located with in the videophone as this arrangement would provide means for extending memory

Art Unit: 2614

capacity of the videophone in order store in external memory or backup memory the information desired to be stored by the videophone as taught by Umstetter.

17. Claims 33, 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell, Pappalardo as applied to claim 31 above, and further in view of Van DE Sluis.

The combination differs from claims 33, 38-42 in that it does not teach the following: information about users includes selectively stored video images of one or more users, means for selcetably capturing and storing in the memory means images of the users associated with the videophone number being called, means for selectably retrieving and storing in the memory means, stored images of the users associated with videophone number being called, images to be retrieved have been stored in memory means associated with the videophone being called, means for selectively capturing and selectably storing in the memory means images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality, means for selectably retrieving and selctably storing in the memory means, images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality.

However, Van DE Sluis teaches the following: information about users includes selectively stored video images of one or more users, means for selcetably capturing and storing in the memory means images of the users associated with the videophone number being called, means for selectably retrieving and storing in the memory means, stored images of the users associated with videophone number being called, images to

Art Unit: 2614

be retrieved have been stored in memory means associated with the videophone being called, means for selectively capturing and selectably storing in the memory means images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality, means for selectably retrieving and selectably storing in the memory means, images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality (paragraphs: .0009-0012; 0023-0026; figs. 1-3).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: information about users includes selectively stored video images of one or more users, means for selectably capturing and storing in the memory means images of the users associated with the videophone number being called, means for selectably retrieving and storing in the memory means, stored images of the users associated with videophone number being called, images to be retrieved have been stored in memory means associated with the videophone being called, means for selectively capturing and selectably storing in the memory means images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality, means for selectably retrieving and selectably storing in the memory means, images of users associated with a second videophone calling the videophone, thereby providing video caller id functionality as this arrangement would provide the user with visual interface by displaying images of communication partners so that user can easily recognize the communication partner to initiate telephone communications as taught by Van DE Sluis.

Art Unit: 2614

18. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 31 above, and further in view of Williams (US2002/0167392A1).

The combination differs from claim 34 in that it does not teach the following: information about users includes selectably stored reminder information about one or more of the users and which can automatically be transmitted to the user or users.

However, Williams motion activated communication device which teaches the following: information about users includes selectably stored reminder information about one or more of the users and which can automatically be transmitted (reads on automatically playing reminder message) to the user or users (paragraphs: 0031-0032; 0046).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: information about users includes selectably stored reminder information about one or more of the users and which can automatically be transmitted to the user or users as this arrangement would facilitate user convenience by providing timely reminders about desired user events as taught by Williams.

19. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 31 above, and further in view of Allen (US2002/0199181A1).

The combination differs from claim 35 in that it does not teach the following: selctably stored information about the types of information one or more of the users is currently available to receive.

However, Allen teaches the following: selctably stored information about the types of information one or more of the users is currently available to receive (paragraphs: 0067-0072; fig. 4).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: selctably stored information about the types of information one or more of the users is currently available to receive as this arrangement would facilitate the user to determine current availability of users for establishing communication for exchanging various types of information as taught by Allen, thus alleviating playing phone tag.

20. Claims 37 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 31 above, and further in view of Igarashi (JP408242307) and Rao

The combination differs from claim 37 in that it does not specifically teach the following: telephone directories include stored video images of the users associated with the other videophone numbers, audio messages associated with other PSTN telephone numbers and videophone numbers.

However, Igarashi teaches the following: telephone directories include stored video images of the users associated with the other videophone numbers (figs. 1, 3, 7, and abstract); and Rao teaches the following: audio messages associated with other

PSTN telephone numbers and videophone numbers (fig. 1, see abstract; col. 3, line 50 – col. 4, line 6).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: telephone directories include stored video images of the users associated with the other videophone numbers, audio messages associated with other PSTN telephone numbers and videophone numbers as this arrangement would facilitate user to select video telephone directory to make calls and also store messages of callers as taught by Igarashi and Rao, thus providing additional functionality to facilitate user convenience.

The combination differs from claims 43-44 in that it does not specifically teach the following: means in the event a user does not answer the videophone to selectably capture/retrieve and selectably store in the memory means, continuous video images of the users associated with a second videophone calling the videophone, thereby providing video answering machine capability.

However, Rao teaches the following: means in the event a user does not answer the videophone to selectably capture/retrieve and selectably store in the memory means, continuous video images of the users associated with a second videophone calling the videophone, thereby providing video answering machine capability fig. 1, see abstract; col. 3, line 50 – col. 4, line 6).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: means in the event a user does not answer the videophone to selectably capture/retrieve and

selectably store in the memory means, continuous video images of the users associated with a second videophone calling the videophone, thereby providing video answering machine capability as this arrangement would enable the user to have means for recording information about callers when he is unable to receive calls, thereby providing convenience for the user to handle calls during his absence as taught by Rao.

21. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 26 above, and further in view of Hirayama et al. (EP 1170953 A2, hereinafter Hirayama).

The combination differs from claim 46 in that although the combination discloses displaying pictures in video telephone conversation (page 11 lines 26-36 of Mazurek); it does not specifically teach the following: display is rectangular screen that is taller than it is wide to optimize displayed portrait images of videophone users.

However, Hirayama discloses telephone which teaches the following: display is rectangular screen that is taller than it is wide to optimize displayed portrait images of videophone users (fig. 1, paragraphs: 0047; 0050; 0062; 0064; fig. 5A).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: display is rectangular screen that is taller than it is wide to optimize displayed portrait images of videophone users as this arrangement would provide one of the arrangements for displaying images of users depending upon user display as taught by Hirayama.

22. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mazurek in view of Ono, Kerr and Crandell as applied to claim 47 above, and further in view of Boris (FR002691868A1).

The combination differs from claim 48 in that it does not teach the following: processing the received signals to facilitate enhanced perception by the handicapped user.

However, Boris teaches the following: processing the received signals to facilitate enhanced perception by the handicapped user (fig. 2, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: processing the received signals to facilitate enhanced perception by the handicapped user as this arrangement would provide means for facilitating communication for handicapped users as taught by Boris.

Response to Arguments

23. Applicant's arguments filed on 7-31-2006 have been fully considered but they are not persuasive.

Regarding restriction requirement as specified in the office action dated 6-23-2006, Applicant, although he has shown non-elected claims as being withdrawn in the claim listing in response to office action, he has not made an affirmation of this election of claims in replying to the office action as required (see item 4, page 2 of the office action dated 6-23-2006). Applicant is urged to do this in the next office action.

Rejection of claims 1-2, 4-5, 9-11, 12, 14, under 35 U.S.C 102(e) as being anticipated by Parker et al. (US PAT: 6,545,697, filed 10-16-2001, hereinafter Paraker): Regarding rejection of the claims using Parker reference Applicant makes various arguments to say Parker does not teach applicant's claimed matter in the above claims and further argues that "Parker does not disclose or even suggest a communication network configured for transmitting both video and audio communications. To the contrary Parker ... Summary of the invention it is specifically stated that a standard telephone call is established between the parties over the public telephone network, and this telephone call is used to initiate messages to the server system (111) which causes any video components to be transmitted over public data network (110). Accordingly Paraker does not teach or suggest "at least one communication network configured for transmitting video and audio communications, much less such network interconnecting a plurality of videophones, or an operations center connected to such network". Contrary to Applicant's interpretation of Parker teaches Applicant's claim limitations such as at least one communication network (110/120, fig. 1) configured to transmitting video and audio communications and network interconnecting plurality of videophones as illustrated in fig. 1 (col. 3, line 28 – col. 4, line 31) and an operations center (reads on 800 fig. 8, 111, fig. 1, figs. 9-10, col. 10 lines 15-56) as required by the claims.

Regarding rejection of claim 2, Applicant argues that Paraker does not provide any teaching with respect to a communication medium configured to connecting videophones to a communication network. While Parker ... clearly none with respect to a media or medium configured to transmit both audio and video". Regarding this, as

illustrated in fig. 1, Parker does teach communication media or medium for transmitting audio and video (col. 3, line 28, col. 4, line 31).

Regarding rejection of claims 4-5, Applicant alleges that Parker does not teach operations center connected to a communication network for transmitting video and audio communication, with such operations center configured for communicating with plurality of videophones via such network, and wherein operations center comprises means for storing a user registry". Regarding this contrary to applicant's interpretation of Parker reference, Parker does teach operations center (read as 111, fig. 1; 800, fig. 8) connected to a communication network as shown in fig. 1 for transmitting video and audio communication, with such operations center configured for communicating with plurality of videophones as shown in fig. 1 via such network, and wherein operations center comprises means for storing a user registry (col. 10 lines 15-56).

Regarding amended claim 6, Applicant arguments are moot because claim 6 is rejected using a new reference.

Regarding rejection of claims 9-10, Applicant alleges that "Parker not only has no teaching of a videophone, it has no description or even a reference of a separate component, i.e.. something that could the could be purpose of a videophone interface unit, between the user system and the telephone or data network, regardless of whether these components are connected wirelessly or with cable". Regarding this, Parker teaches telephone system (303, fig. 3) can use wireless, wireline for communication or other communication media (col. 4, line 67 – col. 5, line 1) which clearly imply providing

interface unit between user devices and communication network because reference teaches wireless communication.

Regarding rejection of claim 12, Applicant makes similar arguments as made in rejection of claim 1. Therefore, explanation provided with respect to rejection of claim 1 is applicable.

Rejection of claims 3 and 13 under 35 U.S.C 103(a) as being obvious over Parker in view of Van De Sluis et al. (US 2002/0080230, hereinafter Van De Sluis): regarding rejection of claims 3 and 13, Applicant alleges that teachings of De Sluis cannot be extended to Parker. As discussed above the system according to Parker ... accordingly there would be no reason to refer to teachings of Van De Sluis for graphic display of user information". Regarding this, Van De Sluis discloses telephone directory which includes telephone numbers, and pictures corresponding to telephone users (paragraph: 0026, claims 4-5, 7). By using teachings of Van De Sluis in Parker system, it makes it easier for users to initiate communications between users because graphical interface provides user friendly interface to determine prospective telephone numbers by looking at displayed pictures before initiating telephone calls. Besides, Applicant is arguing against individual references. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding rejection amended claim 15, Applicants arguments are moot in view of new rejection.

Rejection of claim 16 under 35 U.S.C 103(a) as being obvious over over Parker in view of Barraclough (US PAT: 6,163,335):

Regarding rejection of claim 16 using the above references, Applicant argues that "In the present invention the calling party need not enter any preprogrammed codes to designate the call being made is video or audio call. Rather, it is determined automatically by the system of the present invention based upon the capabilities of the called party". Regarding this, Barraclough system also automatically determines type of call being made is audio call or video call (see abstract, and claim 1) which meets applicants claim limitations of claim 16.

Rejection of claims 26, 36, 45, 47 under 35 U.S.C. 103(a) as being unpatentable over Mazurek et al. (WO 99/34600, hereinafter Mazurek) in view of Ono et al. (JP407264298A, hereinafter Ono), Kerr (US PAT: 5,844,600) and Crandell et al. (US 2004/0240642, filed 6-16-2002, hereinafter Crandell): Regarding rejection of independent claims 26 and 47 using the above combination of references, Applicant argues that the standard POTS network is not configured for transmitting video audio communications. To emphasize the this point, Applicants have amended claim 47 to specify that such transmission of video and audio communication of the present invention is configured for transmitting such as video and audio communication in real time. Clearly this would not be possible in the videophone described by Mazurek". Notwithstanding applications speculation about Mazurek system not transmitting audio

and video communications in real time, even a cursory reading of Mazurek concludes that he teaches transmitting audio and video communications in real time (see abstract; page 2 lines 14-22). Regarding Ono reference, Applicant alleges that it does not teach "selectably entering or selecting information with the videophone if the calling party identifying the videophone of the called party". Regarding this One teaches system in which plural interfaces such as videophone, fax, electronic mail are provided and system selects most desired communication system based user need for initiating communication (fig. 1, see abstract). This clearly reads on applicant's claim limitation such as selecting information with the videophone of calling party to uniquely identifying the videophone of the called party because, according to Ono, most desired communication is selected which means if the called party is capable of communicating with videophone, that interface is selected to start the communication. Regarding Kerr reference, Applicant alleges that "although Kerr does provide a discussion of various techniques for synchronizing audio and video signal, such techniques cannot be utilized by the system described by Mazurek. All of the techniques described by Kerr involve delaying the audio to match with corresponding video. Kerr thus assumes that the video as well as audio are being transmitted real time. This cannot be the case with the system described by Mazurek. Contrary to applicant's interpretation of Mazurek reference, Mazurek, as already explained, does teach transmitting audio and video in real time (see abstract; page 2 lines 14-22). Regarding Mazurek, Applicant further speculates that "The LCD described by Mazurek only provides for 15 frames per second even for locally produce video, and in all likelihood the transmitted video achievable

over POTS network will be substantially less than this. Although audio transmission can be made in real time, video transmission will likely be a staccato sequence of time separated images for which sound can never be synchronized". These arguments made by the applicant belong to realm of pure speculation which has no basis. Kerr teachings can be used to meet applicants claim limitation such as synchronizing audio and video as set forth in the office action.

Applicant arguments regarding claim 34 are moot because amended claim 34 is rejected based on new reference.

Rejection of claim 35 under 35 U.S.C 103(a) as being obvious over over Mazurek in view of Ono, Kerr and Crandell as applied to claim 31 above, and further in view of Allen (US2002/0199181A1): regarding rejection of claim 35, Applicant argues that "Allen does not describe a structure or method for storing information about these types of information or even types of information themselves. Rather the system according to Allen provides ... compared to the present information in which system determines for various users whether they are available to receive different types of information streams". Regarding this Allen teaches determining whether one or more users available to receive information such as real time camera image or stored image (paragraphs: 0011, 0067-0072) which clearly reads on applicants claim limitation 35.

Applicants arguments regarding claims 43-44 are moot because amended claims 43-44 are rejected based on new reference.

In light of the above explanation, rejection of claims 1-16, 26-48 is maintained.

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

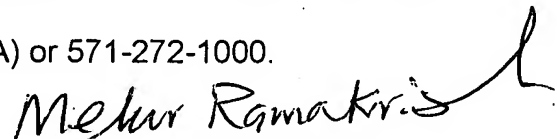
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

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Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614